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DOCKET NO.: TIBO-0010

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Inge Dierynck, Christiaan Hubert Simon

Roelant, Rudi Wilfried Jan Pauwels,

Confirmation No.: 1344

Koenraad Lodewijk August Van Acker,

and Jan Octaaf Antoon De Kerpel

Application No.: 09/633,232

Group Art Unit: 1636

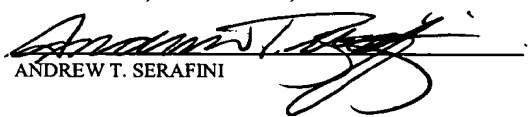
Filing Date: August 4, 2000

Examiner: Terry Alan McKelvey

For: USE OF COLORED METAL BINDING PROTEINS

DATE OF DEPOSIT: April 30, 2004

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ANDREW T. SERAFINI

REGISTRATION NO.: 41,303

MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **November 3, 2003** finally rejecting claims **1-6, 8-10, 12, 13, 15 and 16** of the above-identified patent application.

The item(s) checked below are appropriate:

05/05/2004 MGBREM1 00000002 233050 09633232

01 FC:1401 330.00 DA
02 FC:1253 840.00 DA

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**PATENT
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PROCEDURE PURSUANT TO
37 CFR § 1.116**

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :
- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of November 3, 2003, to and through May 3, 2004 comprising an extension of the shortened statutory period of three months. An extension of time of one month was requested, and authorization to charge our deposit account No. 23-3050, for this extension was given on March 2, 2004. The three-month extension fee of \$950, less the amount already paid of \$110, leaves a total of \$840 due for this extension.

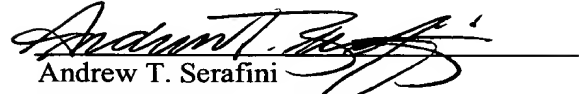
	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input type="checkbox"/> NOTICE OF APPEAL	\$165	\$	\$330	\$330.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$210	\$	\$420	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$475	\$	\$950	\$950.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$740	\$	\$1480	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1005	\$	\$2010	\$
<input checked="" type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$110.00)
TOTAL FEE DUE		\$0		\$1170.00

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☒ Please charge my Deposit Account No. 23-3050 in the amount of \$1170.00. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

DOCKET NO.: TIBO-0010

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

Date: April 30, 2004


Andrew T. Serafini
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